

# Exhibit 21

**Middleton, Bridget (PLY)**

---

**From:** Middleton, Bridget (PLY)  
**Sent:** Tuesday, March 15, 2011 9:35 AM  
**To:** Bradley, John (PLY)  
**Subject:** FW: Jury Waived OUI's

John could you send me any data you have on this issue and also forward any responses you have received from your email to the district court chiefs. Also, if there are any cases that have particularly egregious facts let me know the case name.

---

**From:** Middleton, Bridget (PLY)  
**Sent:** Monday, March 07, 2011 3:36 PM  
**To:** Williams, Geline (DAA); Bradley, John (PLY)  
**Subject:** Re: Jury Waived OUI's

Geline, Tim filed the legislation in January. I will send you a copy. I will speak to him about the globe inquiry. John could send me that data and also forward any responses you get to your email. Also, if there are any cases that have particularly egregious facts let me know the case name. Thank you.

Bridget Norton Middleton  
Assistant District Attorney  
Plymouth County  
(508)584-8120

---

**From:** Williams, Geline (DAA)  
**Sent:** Monday, March 07, 2011 02:24 PM  
**To:** Bradley, John (PLY)  
**Cc:** Middleton, Bridget (PLY)  
**Subject:** FW: Jury Waived OUI's

John and Bridget,

The Globe (Jon Saltzman of the Spotlight Team) is very interested in this issue. He has been poking around for several weeks and has a list of judges who are well-known anecdotally for their lenient treatment of OUI cases. Beyond anecdotes, he especially wants data. Would Plymouth be willing to share this data from last year -- it is very compelling stuff, and serves as the perfect back-drop to legislation to give the Commonwealth a right to trial by jury in every case -- not just SDPs. Would either of you be willing to talk to him? (And isn't it DA Cruz who has or will file the proposed right-to-jury-trial bill? Can MDAA have a copy, because it should be referenced in any Globe story on this issue.) John, have you received any replies to your inquiry to the other districts?

---

**From:** Bradley, John (PLY)  
**Sent:** Thursday, March 03, 2011 10:56 AM  
**To:** DAA-DL-DISTCT-CHIEFS  
**Cc:** Nardone, Andrea (DAA)  
**Subject:** Jury Waived OUI's

Over the past several years, I have noticed a disturbing trend that our conviction rate in jury waived oui trials appeared to be ridiculously low. Correspondingly, the number of oui jury trials has consistently diminished. Because the problem appeared to be limited to a couple of our courts, until this year I had kept only partial statistics. This year, however, I decided to keep county-wide stats, and here are the results: our record in jury waived oui trials was an astounding 30-203, while our record in oui jury trials was more normal 29-23. Obviously, this disparity can't be explained away as the simple "balls and strikes" judicial decision making; rather, it appears that in this county a request for a jwt renders a result that is virtually automatic. I know there is some support among the DA's to bring about a rule (like the feds have) that requires both sides to agree to a jwt. Have you noticed similar results in your courts?